



05-17-02
DAC #6
PATENT

Attorney Docket No. 5246 P 003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application Of:
Seiler et al.

Application No. 09/919,594

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Group Art Unit: 2171

Filed: July 31, 2001

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Examiner: Not Yet Assigned

For: Method and System For Information Communication
Between Potential Positionees and Positioners

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**PETITION FOR THE REVIVAL OF AN UNINTENTIONALLY
ABANDONED APPLICATION UNDER 37 C.F.R. 1.137 (b)**

Commissioner For Patents
Box DAC
Washington, D.C. 20231

RECEIVED
MAY 21 2002

OFFICE OF PETITIONS

Dear Sir:

Applicant petitions the Commissioner to revive the above-identified application under 37 C.F.R. 1.137 (b) due to Applicant's unintentional failure to submit a timely and proper reply to the Notice to File Missing Parts of Application of 9/6/2001.

1. This application became abandoned on 11/7/2001.
2. On 9/6/2001, the Office mailed a Notice to File Missing Parts of Application, setting a two month period in which to submit the required payment of the basic filing fee, additional claims fees, a surcharge for the late filing, a properly signed oath or declaration per 37 C.F.R 1.63, and requiring substitute drawings and an abstract of less than 150 words on a separate sheet of paper.
3. Applicant filed a Reply to the Notice to File Missing Parts of Application on 2/6/2002 and included; a petition under 37 C.F.R. 1.47 (a) with an accompanying Declaration from Kristi

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Meints, a Declaration and Power of Attorney, a \$710.00 basic filing fee, additional claims fees of \$728, and a \$130.00 surcharge for late filing of the filing fee and Declaration. Applicant mailed a Supplemental Filing to the mailing of 2/6/2002 which included the signatures of the inventors previously unavailable under 37 C.F.R. 1.47 (a) on 3/28/2002.

4. Petitioner unintentionally did not include a petition for a two month extension, the requisite fee for the extension, acceptable substitute drawings, or an abstract of less than 150 words on a separate sheet of paper in the filing mailed 2/6/2002.
5. On 3/27/2002, the Office mailed a Notice of Incomplete Reply (Nonprovisional).
6. No further Reply was filed within an acceptable regulatory time-frame.
7. The entire delay in filing the required replies to the Notice of Missing Parts and the Notice of Incomplete Reply from the due date until the filing of this petition pursuant to 37 C.F.R. 1.137(b)(3) was unintentional.
8. Accordingly, Applicant hereby petitions the Commissioner to revive this abandoned application.
9. Included with this Petition To Revive is the \$1280.00 fee (other than a small entity) required under 37 C.F.R. 1.137(b) and 1.17(m), and a Preliminary Amendment including substitute Figures and a substitute Abstract having fewer than 150 words.
10. The Commissioner is hereby authorized to charge deficiencies of payment required by this paper, and any other paper previously filed with this Application, or credit any overpayment to Deposit Account No. 23-0280. A duplicate copy of this Petition is attached.

Respectfully submitted,

Dated: 5/16/2002

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Certificate of Express Mailing

I hereby certify that this Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b) and associated fees are being deposited with the United States Postal Service with sufficient postage as Express Mail, Post Office to Addressee, in an envelope addressed to: Commissioner for Patents, BOX DAC, Washington, D.C. 20231.

Carol J. Wiechers
Carol J. Wiechers

EL237758341US
Express Mail Label No.

May 16, 2002
Mailing Date

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